

DECLARATIONS OF INTEREST / CONFLICT OF INTEREST - PROCEDURE FOR COMMITTEE MEMBERS

1. There is a regular agenda item for Committee members (or staff attending the meeting) to disclose an interest in an agenda item (or part of an item). Separately an individual Committee member may declare an interest / a conflict of interest at any time. This procedure is to give advice on how such declarations should be handled.
2. There are three typical scenarios of declarations, namely:
 - a. A person makes a declaration at that point on the agenda and it relates to an item of business coming up at that meeting.
 - b. Someone makes an immediately / impromptu declaration during a meeting, e.g. 'Oh I know that firm - my brother-in-law works there'
 - c. Someone makes a general declaration that has ongoing implications for the individual and their role and the co-operative.

A 'NORMAL' DECLARATIONS

- A.1 The general understanding is that Committee members have to declare an interest if there is something that affects them particularly. They would not declare an interest in a general programme which includes work on their flat. Nor would they have to declare an interest, say, in a topic of rent arrears if they had an arrear on their rent account.
- A.2 If someone makes a declaration then when the relevant item on the agenda arises, then would not take part in the item and typically leave the room for the duration. They would then be called back into the meeting and notified of the decision (if it is something that needs to be communicated immediately).
- A.3 There has been and will be occasions when there is expected to be a period of discussion on a topic and the Committee would benefit from a contribution from the individual who has declared an interest. On these occasions, the Chair would rule to allow someone to stay for long enough time to speak/answer questions. The individual would not be allowed to get into a decision making role in these discussions - but would solely provide background information to inform the Committee.
- A.4 If the Chairperson declared an interest then the Committee would elect another person to chair the meeting for the period of the item under discussion. This would normally be another office-bearer if possible.

B. IMPROMPTU DECLARATIONS

- B.1 Depending on the nature of the impromptu declaration and what is actually said, it is advisable if the person leaves the room and explains the details to the Director, or

senior staff member present. This is to avoid the whole meeting hearing potentially confidential information and to offer the opportunity for a quick piece of discussion/decision by the Director. The Chairperson may be asked to give a ruling if appropriate.

- B.2 Typically once the declaration has been made and is established to be relevant, then the process outlined in (A) above should be followed.
- B.3 Another scenario could be that someone else, another Committee or staff member, realises that one individual should be making/have made a declaration. Again this should be discussed with the Director outwith the room, and the individual(s) concerned, so as to work out how to deal with the situation.

C. ONGOING DECLARATIONS

- C.1 There are occasions when an ongoing declaration could occur - e.g. we are getting a succession of advice from a consultant, say, and a Committee member has a relevant connection from that consultant. In this case both the individual and the Director should ensure that the right procedures are followed each and every time.
- C.2 It may be that the declaration impacts upon other operations of the co-operative, i.e. not the actual Committee meetings. In these cases, the Director should take the lead in ensuring the relevant necessities are followed. It may be that the Chairperson is involved in a ruling at the outset, for example.

OTHER PROCEDURAL MATTERS

- 3. The Director shall be responsible for ensuring that the Registers of Lister record the relevant declarations and other information regarding the matter.
- 4. The minute-taker will make appropriate notes. We endeavour to avoid having a separate confidential minute but that may be necessary at times.
- 5. The Committee Code of Guidance and associated policies shall be a source of advice for those involved.

APPEALS

- 6. The individual who has been required to leave the room or have some action taken on them, has the normal right of appeal over the matter. It would normally be not possible to deal with that 'on the night' and it would have to be dealt with later.
- 7. Dependent on the circumstances, it may be that any decided actions arising from the item (where someone is not present) might have to be delayed until any appeal is resolved.

Alistair Cant
DIRECTOR
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